



State of California—Health and Human Services Agency
California Department of Public Health

DRINKING WATER FIELD OPERATIONS BRANCH
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ARNOLD SCHWARZENEGGER
Governor

January 29, 2009

North Coast Regional Water Quality Control Board
5550 Skylane Boulevard, Suite A
Santa Rosa, CA 95403
ATTN: Lauren Clyde

N C R W Q C B

JAN 30 2009

<input type="checkbox"/> EO	<input checked="" type="checkbox"/> WMgmt <u>LRC</u>	<input type="checkbox"/> Admin
<input type="checkbox"/> AEO	<input type="checkbox"/> Timber	<input type="checkbox"/> Legal
<input type="checkbox"/> Reg/NPS	<input type="checkbox"/> Cleanups	<input type="checkbox"/> Date

RE: BASIN PLAN AMENDMENT TO ESTABLISH EXCEPTION CRITERIA TO THE POINT SOURCE WASTE DISCHARGE PROHIBITIONS BY REVISING THE ACTION PLAN FOR STORM WATER DISCHARGES AND ADDING A NEW ACTION PLAN FOR LOW THREAT DISCHARGES

The proposed Low Threat BPA addresses conflicts between regional and statewide permits and the Basin Plan prohibitions. The California Department of Public Health (Department) concurs with the Staff Report conclusion that the proposed Low Threat BPA will provide a higher degree of water quality protection by acknowledging that these low threat discharges exist and providing a regulatory program that allows the discharges to occur under prescribed conditions.

The Department is responsible for ensuring that water served by public water systems is safe, wholesome, and reliable. Over 95 percent of the public water systems in Sonoma and Mendocino Counties serve fewer than 1,000 connections and most do not have resources to develop and implement management plans for low volume and low threat discharges. Many of the activities addressed in Low Threat BPA are essential for responsible public water system management and protection of public health. We believe that with proper operational practices, these activities can be carried out without adversely affecting beneficial uses or causing water quality objectives to be exceeded.

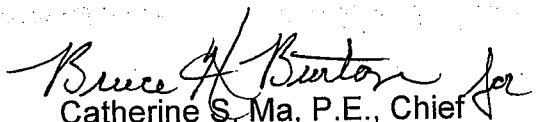
We are concerned, however, that the language requiring compliance with water quality objectives at the point of discharge is unnecessarily restrictive, and may place undue limitations on the activities we consider essential for proper water system operation and the protection of public health. In many cases, a very small, low threat discharge could contain a constituent at a concentration that exceeds a water quality objective, but does not result in the exceedance of a water quality objective in waters of the State. Some water quality objectives depend on receiving water quality, and compliance based on a measurement at the discharge would not accurately describe the impact on the receiving water quality.

Since the goal is to protect beneficial uses in the receiving waters, we suggest the following revision to page 3 of the proposed Low Threat Discharge Action Plan:

"2. The discharge shall not cause ~~comply with all~~ applicable water quality objectives to be exceeded."

Thank you for your consideration. If you have any questions, please contact either Janice Oakley, Sonoma District Engineer or Bruce Burton, Mendocino District Engineer at (707) 576-2145.

Sincerely,

A handwritten signature in cursive script, appearing to read "Catherine S. Ma", followed by a small "for" and a flourish.

Catherine S. Ma, P.E., Chief
North Coastal Section
Drinking Water Field Operations Branch